



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

August 8, 2022

Mr. Steve Poftak
General Manager
Massachusetts Bay Transportation Authority
10 Park Plaza
Boston, MA 02116

Subject: Approvals for Special Directive 22-7 Corrective Action Plans

Dear Mr. Poftak,

Thank you and your team for submitting corrective action plans (CAPs) to address the two (2) required actions from the Federal Transit Administration (FTA) specified in Special Directive 22-7 related to lapsed certifications for rail transit operations personnel:

- FTA-LC-22-002: The Massachusetts Bay Transportation Authority (MBTA) must ensure that personnel with lapsed certifications are not placed on duty to perform or supervise train operations. The MBTA must develop and implement procedures to ensure that only trained and certified personnel are scheduled to operate or supervise the movement of railcars.
- FTA-LC-22-003: The MBTA must create, review, and/or update its training materials to include:
 - Training and certification manuals for each line, to include manuals for operators and supervisors.
 - Updated rulebooks for all train lines, enforce version control.
 - A compilation of temporary and permanent orders.

The MBTA must make training materials available electronically and ensure that employees who have enrolled for training have completed the training.

FTA Approval of MBTA's CAPs for FTA-LC-22-002 and FTA-LC-22-003

FTA has completed its review of the MBTA's CAPs and initial submittals for Special Directive 22-7. These CAPs were submitted as required on July 20, 2022.

FTA finds that these CAPs, which include 15 distinct action items, adequately address the pressing findings and required actions identified in Special Directive 22-7. Therefore, FTA approves them for implementation.

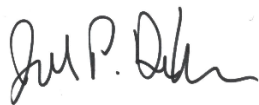
In the attached CAP Evaluation Table, FTA has provided notes and considerations that may be useful for the MBTA team. These notes will assist MBTA to implement these actions and will support verification efforts by FTA and the Massachusetts Department of Public Utilities (DPU) regarding their completion. The FTA will work with MBTA to review documentation showing completion dates and verifiable activities for interim steps as part of the incremental schedule MBTA has established for longer-term activities addressed in the CAPs, including training and materials development and deployment of information technology solutions.

We acknowledge that MBTA has been providing FTA with weekly submittals documenting work schedules and certification status for all rail transit operations personnel as required by FTA-LC-22-001, an immediate required action associated with Special Directive 22-7. The FTA recently issued a separate communication regarding the continuation of reporting requirements for FTA-LC-22-001.

Conclusion

We appreciate your efforts to enhance MBTA's safety performance, and we look forward to working with you and your team as the MBTA addresses these findings and required actions. Please contact our SMI Coordinator, Ms. Erin Powell, by phone at (202) 366-2164 or by email at Erin.Powell@dot.gov or our SMI CAP Manager, Mr. Cyrell McLemore, by phone at (312) 886-1625 or by email at Cyrell.McLemore@dot.gov with any questions.

Sincerely,



Joe DeLorenzo
Associate Administrator and
Chief Safety Officer
Office of Transit Safety and Oversight

Enclosure: Special Directive 22-7 Corrective Action Plan Evaluation Table

cc: Peter Butler, Regional Administrator, FTA Region 1
Jeffrey Gonnevillle, Deputy General Manager, MBTA
Ron Ester, Chief Safety Officer, MBTA
Dave Carney, Chief of Transit Services
Andrea Gordon, Assistant General Manager, Rail Transportation, MBTA
Elizabeth Cellucci, Director, Transportation Oversight Division, MDPU



Corrective Action Plan (CAP) Evaluation Matrix
Special Directive 22-7: Lapsed Certifications

Identification Number	Finding and Required Action	Proposed CAP Items	Proposed Due Dates	FTA Comments	MBTA Response (if needed)
FTA-LC-22-002	<p><u>Finding:</u> MBTA does not ensure it meets its operational training and recertification requirements for personnel responsible for the movement of railcars.</p> <p><u>Required Action:</u> MBTA must ensure that personnel with lapsed certifications are not placed on duty to perform or supervise train operations. MBTA must develop and implement procedures to ensure that only trained and certified personnel are scheduled to operate or supervise the movement of railcars.</p>	<p>1. Launch centralized repository: Provide senior leadership and supervisors access to centralized database that includes last recertification training and expiration dates to identify personnel who need to be enrolled in an upcoming recertification class</p>	6/17/22	<p>Action Item Approved</p> <p><u>Note:</u> As part of verification for this CAP item, FTA will review documentation of training or instruction provided to leadership and supervisors on the centralized database. FTA also will review documentation or information available to show that leadership and supervisors are using the database to track and monitor recertification status.</p>	
		<p>2. Define rail recertification rules and issue special order outlining rules: Issue Special Order that includes recertification timelines and roles and responsibilities of personnel in ensuring that recertifications remain up to date</p>	9/1/22	<p>Action Item Approved</p>	
		<p>3. Develop labor model to adequately staff Training School: Develop model to determine training staffing needs to recertify personnel at appropriate cadence</p>	9/15/22	<p>Action Item Approved</p>	
		<p>4. Develop hiring plans to support staffing needs identified through labor models: Identify target and schedule to hire Training personnel necessary to</p>	12/31/22	<p>Action Item Approved</p> <p>Note: FTA will work with MBTA to review documentation for the incremental schedule showing</p>	



Corrective Action Plan (CAP) Evaluation Matrix
Special Directive 22-7: Lapsed Certifications

Identification Number	Finding and Required Action	Proposed CAP Items	Proposed Due Dates	FTA Comments	MBTA Response (if needed)
		complete rail recertifications (based on labor model)		completion dates and verifiable activities for interim steps.	
		5. Execute hiring plans: Fill positions for Training personnel (based on hiring plans)	12/31/23	Action Item Approved Note: FTA will work with MBTA to review documentation for the incremental schedule showing completion dates and verifiable activities for interim steps.	
		6. Issue recertification cards to rail operations personnel: Print and distribute initial recertification cards with certification expiration date; develop and document process for reissuing cards after subsequent recertifications	1/1/23	Action Item Approved	
		7. Include rail recertification rules in next Operations Rulebook update: Include rail recertification rules and personnel roles and responsibilities in ensuring that recertifications remain up to date	4/1/23	Action Item Approved	
		8. Formal tracking and notification system: Develop digital centralized tracking system that allows supervisors to proactively oversee and manage process (referenced also in CAP for FTA-OCC-22-007)	7/1/23	Action Item Approved	



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Special Directive 22-7: Lapsed Certifications

Identification Number	Finding and Required Action	Proposed CAP Items	Proposed Due Dates	FTA Comments	MBTA Response (if needed)
		9. Develop an audit process for rail recert compliance: Create and document process for adherence to rail recertification rules	11/1/23	Action Item Approved Note: FTA will work with MBTA to review documentation for the incremental schedule showing completion dates and verifiable activities for interim steps.	
FTA-LC-22-003	<p><u>Finding:</u> MBTA does not effectively train and certify personnel responsible for the movement of railcars.</p> <p><u>Required Action:</u> MBTA must create, review, and/or update its training materials to include:</p> <ul style="list-style-type: none"> • Training and certification manuals for each line, to include manuals for operators and supervisors • Updated rulebooks for all train lines, enforce version control • A compilation of temporary and permanent orders <p>MBTA must make training materials available electronically and ensure that employees who have enrolled for training have completed the training.</p>	1. Develop and implement compilation of all relevant temporary and permanent orders and document process to be maintained: Develop compilation and clear process with roles and responsibilities to be maintained.	11/1/22	Action Item Approved Note: FTA will work with MBTA to review documentation for the incremental schedule showing completion dates and verifiable activities for interim steps.	
		2. Review, Update, and Publish Operations Rulebook: Include up-to-date rules for training and recertification for each line and rail transit job classification.	4/1/23	Action Item Approved	
		3. Create formal training and certification manuals: Identify information that needs to be updated in or added to existing manuals or included in new manuals for light rail, heavy rail, ROW, OCC; create separate manuals for instructors and students.	7/1/24	Action Item Approved Note: FTA will work with MBTA to review documentation for the incremental schedule showing completion dates and verifiable activities for interim steps.	
		4. Develop and document process for updating training manuals: Develop and	7/1/24	Action Item Approved Note: FTA will work with MBTA to review documentation for the	



Corrective Action Plan (CAP) Evaluation Matrix
Special Directive 22-7: Lapsed Certifications

Identification Number	Finding and Required Action	Proposed CAP Items	Proposed Due Dates	FTA Comments	MBTA Response (if needed)
		document process for future updates and version control.		incremental schedule showing completion dates and verifiable activities for interim steps.	
		5. Develop and document process to ensure employees who enroll for training have completed the training: Provide responsible parties with clear insight into training status and steps that should be taken if training has not been completed.	7/1/24	Action Item Approved Note: FTA will work with MBTA to review documentation for the incremental schedule showing completion dates and verifiable activities for interim steps.	
		6. Develop digital solution to provide access to rail training materials and document process for maintaining: Develop digital solution and clear process with roles and responsibilities for maintaining.	10/1/24	Action Item Approved	